



Journal of the House

State of Indiana

115th General Assembly

Second Regular Session

Second Meeting Day

Tuesday Afternoon

January 8, 2008

The House convened at 1:30 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker read a prayer for guidance and insight:

"Almighty God, we come before you today humbled by the magnitude of the responsibilities of this office.

May you help us to realize that those who have been given the greatest responsibility need the greatest guidance.

We pray you will show us what is good, and what is required of us.

We pray for your insight, your compassion, and your strength.

Amen."

The Pledge of Allegiance to the Flag was led by Representative John L. Bartlett.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Act 1010 on November 20, 2007.

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: On November 21, 2007, I signed into law House Enrolled Act 1010.

MITCHELL E. DANIELS, JR.
Governor

FILLING VACANT LEGISLATIVE OFFICES

District 95

December 7, 2007

The Honorable B. Patrick Bauer
Speaker of the House
Indiana House of Representatives
200 W. Washington St.
Indianapolis, IN 46204

Dear Speaker Bauer:

Please be advised that this letter shall serve as my official written notice of resignation from the Indiana House of Representatives, in accordance with Indiana Code. I hereby resign my position as State Representative of House District 95, effective December 7, 2007.

It is with much careful thought that this decision was made. The past fifteen years have been an enjoyable and rewarding experience, and I leave with many fond memories. Through your leadership and our team work, we have had a positive impact on the citizens of Indiana, particularly those in my central Indiana district.

It has truly been an honor and a privilege to serve District 95 and the great state of Indiana, particularly those who lack a compassionate voice in the legislative process. Personally, it has also been rewarding to continue a family tradition of service in the General Assembly.

I will always cherish our friendship, Pat, and the opportunity to serve our great state. I wish you the best of luck in the future, and may God bless you and the state of Indiana.

Sincerely,

Mae Dickinson
State Representative

December 7, 2007

Dan Parker, Chair
Indiana State Democratic Party
One North Capitol, Suite 200
Indianapolis, IN 46204

Dear Chairman Parker:

Pursuant to IC 5-8-3.5-1(b), I hereby officially notify you of Representative Mae Dickinson's resignation from the Indiana House of Representatives, effective Friday, December 7, 2007. A copy of her letter is enclosed.

Sincerely,

B. Patrick Bauer
Speaker of the House

CERTIFICATION OF APPOINTMENT TO FILL A VACANCY IN A STATE REPRESENTATIVE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS

TO THE SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES:

This is to certify the following:

(1) A vacancy occurred in the office of State Representative, District 95.

(2) The vacancy occurred due to the resignation of Mae Dickinson.

(3) The incumbent was elected or appointed as a candidate of the Democratic Party.

(4) I am the state chairman, or person designated by the state chairman to conduct the caucus, of the Democratic Party.

(5) A caucus of eligible precinct committeemen was held on December 17, 2007, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.

(6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.

(7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.

(8) This appointment is effective December 18, 2007.

(9) The person appointed to this office is John L. Bartlett of Indianapolis.

I, the State Chairman, or person designated by the state chairman to conduct this caucus of the Democratic Party, certify that the information in this Certificate is true and complete.

Signed: Daniel J. Parker
Dated: December 17, 2007

Notarized: Kristen Self of Marion County, whose commission expires February 1, 2012

December 18, 2007

Dan Parker, Chair
Indiana State Democratic Party
One North Capitol, Suite 200
Indianapolis, IN 46204

Dear Chairman Parker:

I acknowledge receipt of the Certificate of Appointment to Fill a Vacancy in a State Representative Office by a Precinct Committeeman Caucus regarding John L. Bartlett, House District 95, filed by you with my office this date.

Sincerely,

B. Patrick Bauer
Speaker of the House

NOTIFICATION TO SECRETARY OF STATE

December 18, 2007

The Honorable Todd Rokita
Indiana Secretary of State
201 State House
Indianapolis, IN 46204

Dear Secretary Rokita:

This is to officially notify you that this office has received from the Chair of the Indiana Democratic Party, a copy of the certification of the appointment of John L. Bartlett to represent State House District 95, filling the vacancy created by the resignation of Mae Dickinson. Representative Bartlett was duly elected on December 17, 2007, in a caucus of precinct committee persons in District 95.

Sincerely,

B. Patrick Bauer
Speaker of the House

CERTIFICATE OF SELECTION TO A STATE LEGISLATIVE OFFICE

TO THE HONORABLE B. PATRICK BAUER
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 95, due to the resignation of the Honorable Mae Dickinson, who was elected to that office as a candidate of the Indiana Democratic Party;

WHEREAS, On December 17, 2007, a caucus composed of Democratic Party precinct committeemen from Indiana House District 95 selected John L. Bartlett to fill the vacancy in House District 95;

WHEREAS, The State Chairman of the Indiana Democratic Party certified the selection of John L. Bartlett to fill the vacancy in office of Indiana State Representative, District 95, to the Speaker of the House of Representatives and the Speaker of the House of Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable John L. Bartlett has been selected to fill the vacancy existing in the office of Indiana State Representative, District 95.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this second day of January, 2008, being the 232nd year of the Independence of the United States, and the 192nd year of the Statehood of Indiana.




TODD ROKITA
Secretary of the State of Indiana


Representative-elect Bartlett was sworn into office on January 8, 2008, by Justice Frank Sullivan, Jr. The oath of office is: "I, John L. Bartlett, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Frank Sullivan, Jr., Justice of the Supreme Court of Indiana, this second day of January, 2008.

ROLL CALL OF MEMBERS

The Speaker ordered the roll of the House to be called:

| | |
|--|--|
| Austin | Knollman |
| Avery | Koch |
| Bardon | L. Lawson |
| Bartlett | Lehe |
| Battles | Leonard |
| Behning | Lutz |
| Bell | Mays |
| Bischoff | McClain |
| Blanton | Micon |
| Borders | Moses |
| Borror | Murphy |
| Bosma | Neese |
| C. Brown | Niezgodski |
| T. Brown | Noe |
| Buck | Orentlicher |
| Buell  | Oxley |
| Burton | Pelath |
| Candelaria Reardon  | Pflum |
| Cheatham | Pierce |
| Cherry | Pond |
| Cochran | Porter |
| Crawford | Reske |
| Crooks | Richardson |
| Crouch | Ripley |
| Davis | Robertson |
| Day | Ruppel |
| Dembowski | Saunders  |
| Dermody | Simms |
| Dobis | M. Smith |
| Dodge | V. Smith |
| Duncan | Soliday |
| Dvorak | Stemler |
| Eberhart | Steuerwald |
| Elrod | Stevenson |
| Espich | Stilwell |
| Foley | Stutzman |
| Friend | Summers |
| Frizzell | Thomas  |
| Fry | Thompson |
| GiaQuinta | Tincher |
| Goodin | Torr |
| Grubb | Turner |
| Gutwein | Tyler |
| E. Harris | Ulmer |
| T. Harris | VanDenburgh |
| Herrell | VanHaaften |
| Hinkle | Walorski |
| Hoy | Welch |
| Kersey | Wolkins |
| Klinker | Mr. Speaker |

Roll Call 7: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 10, 2008, at 10:00 a.m.

OXLEY

Motion prevailed.

The Speaker announced the recent death of Representative Saunder's mother and expressed the condolences of the members to Representative Saunders.

APPOINTMENT OF LEADERSHIP

The Speaker announced the following changes in leadership positions:

Speaker *Pro Tempore Emeritus* Robert J. Bischoff
 Assistant Majority Caucus Chair Kreg S. Battles

APPOINTMENT OF COMMITTEES

The Speaker announced the following changes in appointments to standing committees:

Commerce, Energy and Utilities: Representative Blanton replacing former Representative Denbo;

Elections and Apportionment: Representative Bartlett replacing former Representative Dickinson;

Family, Children and Human Affairs: Representatives Simms and Bartlett replacing Representative Klinker and former Representative Dickinson;

Labor and Employment: Representatives Bartlett and Simms replacing former Representatives Dickinson and Cheney;

Local Government: Representative Blanton replacing former Representative Denbo;

Public Policy: Representative Summers replacing former Representative Denbo as Vice Chair and Representative E. Harris replacing former Representative Denbo as a member of the committee;

Roads and Transportation: Representative Blanton replacing Representative E. Harris;

Statutory Committee on Interstate and International Cooperation: Representative Simms replacing former Representative Cheney;

Committee on Joint Rules: Representative Foley replacing former Representative Whetstone.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:30 p.m. with the Speaker in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Legislative Ethics which was appointed pursuant to IC 2-2.1-3-5 considered the matters pending before it and recommends that the House of Representatives adopt the following Code of Ethics and Procedure:

I. CODE OF ETHICS

In recognition of its responsibility to the citizens of this state, and in response to IC 2-2.1-3-6, the House of Representatives adopts the following code of ethics:

Every candidate for election to the House of Representatives shall campaign and, if elected, shall serve with a personal moral commitment to dedicated public service without mental reservation.

Every candidate for election to the House of Representatives shall disclose his or her occupational, business, professional, or other financial interests as required by law.

Every member of the House of Representatives shall, to the best of his or her ability, be fully objective when considering a proposition upon which he or she must act, keeping the welfare of all of the citizens of the state in mind at all times.

No member of the House of Representatives shall sponsor or cast a vote on any legislative matter, except budget or general revenue bills, that might reasonably be expected to directly result in a substantial increase of his or her nonlegislative income. Any member of the House of Representatives not voting for this reason shall be considered present for the purpose of determining a quorum. If a significant number of members are so affected, the House of Representatives or a committee thereof, as the case may be, may, by a vote of two-thirds of those voting, permit such members to vote.

Every member shall give freely of his or her particular expertise during a discussion or debate upon a given proposition; in doing so the member shall, insofar as it is possible, present the positions of all sides of the proposition.

Any member traveling to a legislative conference or meeting at state expense shall attend a substantial number of meetings and official functions.

No member shall host an event which seeks to raise campaign contributions for the election or reelection of any member to the General Assembly during the period beginning on organization day for the first regular session of the General Assembly and ending on the next April 29.

A member, the member's candidate committee and regular party committee organized by a legislative caucus of the House of Representatives of the General Assembly shall not, for the election or reelection of any member to the General Assembly, solicit campaign contributions, accept campaign contributions or conduct other fundraising activities during the period from the day before through the day after the day in November of each year that the General Assembly convenes.

No member shall accept honoraria during his term of office. Payment or reimbursement of expenses actually incurred shall be allowed.

II. PROCEDURE

Any member of the legislative ethics committee of the House of Representatives may receive:

- (1) a complaint from any person alleging a breach of privilege, misconduct, a violation of state law, or a violation of this code of ethics; and
- (2) a request from any member of the House of Representatives for a ruling by the legislative ethics committee.

Any complaint or request shall be reduced to writing on a form provided by the ethics committee and signed by the person making the complaint or request. The committee member receiving the complaint or request shall refer it to the chair who shall promptly call a meeting of the committee to consider the matter.

KERSEY, Chair

Report adopted.

ACTION ON GUBERNATORIAL VETOES

House Enrolled Act 1388 (2007)

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House: By the authority vested in me as Governor of Indiana, under the provisions of Article 5, Section 14, of the Constitution of the State of Indiana, I do hereby veto House Enrolled Act 1388, enacted during the regular session of the 115th General Assembly and related to tax incentives for qualified media productions.

Providing targeted tax and other financial incentives to encourage film and other media productions in Indiana is

reasonable economic development and fiscal policy. In 2005 and 2006, I signed legislation which designated film production as a qualified activity for purposes of the Hoosier Business Investment Tax Credit and provided a sales tax exemption for purchases related to film production.

I also supported HEA 1388 in its original intent. Tax credits and other financial incentives make sense when there is a significant return on the taxpayer's investment, as in the form of new jobs and economic activity that would not have happened otherwise. Regrettably, a good idea became in the end a Christmas tree of giveaways at the expense of Hoosier taxpayers.

House Enrolled Act 1388 provides an unlimited refundable tax credit for all media productions under \$6 million. Much of that activity, including advertising productions, corporate media productions and other digital media productions, is already occurring in Indiana without any incentive. In addition, it provided a 15 per cent credit to an unreasonably wide variety of production-related expenses, including legal fees and script acquisitions. The result was a bill with a price tag, at \$30 million over the biennium, that is simply too high, especially when much of these subsidies would not lead to a single new job or purchase in our state.

My concerns with the bloating of House Enrolled Act 1388 were made well-known to those supporting the add-on of these costly incentives. We sought a balanced approach to encourage production activities in a targeted manner, most notably to secure projects that the state would not otherwise have attracted, and which offered the potential of substantial new employment and capital investment.

In the next legislative session, if the General Assembly returns to the original intent and purpose of this legislation—to provide reasonable and targeted tax and financial incentives to encourage film productions with significant employment and capital investment commitments in Indiana—I would be an enthusiastic supporter.

Date: April 27, 2007

MITCHELL E. DANIELS, JR.
Governor

The Speaker handed down House Enrolled Act 1388, passed by the First Regular Session of the 115th General Assembly.

AN ACT to amend the Indiana Code concerning taxation.

The merits of House Enrolled Act 1388 and the governor's veto were explained. The question was, Shall House Enrolled Act 1388 pass, the Governor's veto notwithstanding?

Representatives T. Brown and Ruppel were excused from voting, pursuant to House Rule 46. Roll Call 8: yeas 77, nays 17. The Governor's veto was overridden.

INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

HB 1009 — Withdrawn pursuant to House Rule 111

HB 1011 — Orentlicher
Committee on Ways and Means

A BILL FOR AN ACT concerning taxation and to make an appropriation.

HB 1012 — Orentlicher
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

HB 1013 — Kersey

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1014 — **Withdrawn pursuant to House Rule 111****HB 1015** — **Withdrawn pursuant to House Rule 111****HB 1016** — VanDenburgh

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1018 — Fry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1019 — Avery, Niezgodski

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1021 — Neese

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1022 — **Withdrawn pursuant to House Rule 111****HB 1023** — Steuerwald

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1024 — Cherry, Crawford

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1025 — Cheatham, Welch

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1026 — Cheatham

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

HB 1027 — Cheatham, Thompson

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1028 — Buck

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1029 — Niezgodski

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1030 — Torr

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1031 — Torr

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1032 — Battles

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1033 — Battles

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1034 — V. Smith, Niezgodski

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1035 — Ulmer

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1036 — Ulmer

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1037 — Ulmer

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1038 — Battles

Committee on Public Policy

A BILL FOR AN ACT concerning elections.

HB 1039 — Steuerwald, Battles

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1040 — Candelaria Reardon

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1041 — Micon

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1042 — Goodin

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1043 — Koch, Cheatham

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1044 — Grubb

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1045 — Bischoff

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1046 — Bischoff

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1047 — Dembowski

Committee on Interstate and International Cooperation

A BILL FOR AN ACT concerning general provisions.

HB 1048 — T. Harris

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1049 — Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1050 — VanDenburgh

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1051 — Crooks

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

HB 1052 — Neese

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1053 — Neese

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1054 — C. Brown

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1055 — C. Brown

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1056 — C. Brown

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1057 — C. Brown

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1058 — Foley, L. Lawson, V. Smith, Borders

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1059 — Battles

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1060 — Pelath

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1061 — Day

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1062 — Day

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1063 — Day, Pond

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1064 — Dodge

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1065 — Saunders, Kersey

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1066 — Robertson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1067 — Herrell

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1068 — Herrell

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1069 — Buell

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1070 — Buell

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1071 — Grubb

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1072 — Walorski

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1073 — Micon

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1074 — Soliday, L. Lawson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1075 — Murphy

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1077 — Niezgodski

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1078 — Torr

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly and to make an appropriation.

HB 1079 — Torr

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1080 — Hinkle, Moses, Murphy, Grubb

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1081 — Hinkle

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1083 — Kersey

Committee on Roads and Transportation

A BILL FOR AN ACT concerning transportation.

HB 1084 — Kersey

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1085 — Kersey

Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1086 — Burton

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1088 — Porter

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1089 — Niezgodski

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1090 — Dvorak

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1091 — Dvorak

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning the general assembly.

HB 1092 — Ruppel, Bischoff

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1093 — Ruppel

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1094 — Ruppel

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1096 — Hoy

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1098 — Dvorak

Committee on Commerce, Energy and Utilities

A BILL FOR AN ACT concerning utilities and transportation.

HB 1099 — Koch

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1100 — Walorski

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1101 — Crooks

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1104 — Tincher

Committee on Ways and Means

A BILL FOR AN ACT concerning taxation.

HB 1105 — Tincher

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1106 — Withdrawn pursuant to House Rule 111**HB 1107 — Porter**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1108 — Buell, Niezgodski, Pond

Committee on Labor and Employment

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1110 — Withdrawn pursuant to House Rule 111

HB 1111 — Foley
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1112 — Micon
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1113 — Dembowski
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1114 — Dembowski
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1115 — Grubb, Leonard
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1116 — Steuerwald
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1117 — Stilwell
Committee on Commerce, Energy and Utilities
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1118 — VanHaaften
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1119 — Austin
Committee on Labor and Employment
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1120 — Dembowski
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1121 — Bischoff
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1122 — Reske
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1123 — Buck
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1124 — Goodin
Committee on Labor and Employment
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1125 — Goodin
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1126 — Welch, VanHaaften, Koch, Turner
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1127 — Crouch, Welch
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1128 — Welch, Koch, Tincher
Committee on Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning economic development and to make an appropriation.

HB 1129 — Pierce, Bischoff, Saunders
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

HB 1130 — Crooks
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning the general assembly.

HB 1131 — VanHaaften
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1132 — VanHaaften
Committee on Labor and Employment
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1133 — Ruppel
Committee on Labor and Employment
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1134 — VanDenburgh, L. Lawson
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1135 — Foley
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning probate.

HB 1136 — Cochran, Goodin, Dobis, Espich
Committee on Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning economic development and to make an appropriation.

HB 1137 — GiaQuinta
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1138 — Reske
Committee on Interstate and International Cooperation
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1139 — Noe

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1141 — Steuerwald

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1142 — Steuerwald

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1143 — Cherry, Tincher

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1144 — Pelath

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1146 — GiaQuinta

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1147 — T. Brown

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1149 — Richardson

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1150 — Richardson

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1151 — Richardson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1152 — Richardson

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

HJR 2 — Cheatham, Bischoff

Committee on Ways and Means

A JOINT RESOLUTION proposing an amendment to Article 10 of the Indiana Constitution concerning taxation.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One

Hundred Fifteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 10, SECTION 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 1. (a) The General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation and shall prescribe regulations to secure a just valuation for taxation of all property, both real and personal. The General Assembly may exempt from property taxation any property in any of the following classes:

(1) Property being used for municipal, educational, literary, scientific, religious, or charitable purposes.

(2) Tangible personal property other than property being held as an investment.

(3) Intangible personal property.

(4) Tangible real property, including curtilage, used as a principal place of residence by an:

(A) owner of the property;

(B) individual who is buying the tangible real property under a contract; or

(C) individual who has a beneficial interest in the owner of the tangible real property.

(b) The General Assembly may exempt any motor vehicles, mobile homes, airplanes, boats, trailers, or similar property, provided that an excise tax in lieu of the property tax is substituted therefor.

(c) Real property owned by an individual may not be taxed if all of the following apply:

(1) The individual is at least sixty-five (65) years of age.

(2) The individual uses the real property as the individual's principal place of residence, as defined by law.

(3) The individual has paid taxes on real property located in Indiana for at least ten (10) years.

This subsection does not prohibit the collection of delinquent property taxes, assessments, fees, or charges relating to real property from the individual claiming the exemption under this subsection.

HJR 3 — Ulmer

Committee on Rules and Legislative Procedures

A JOINT RESOLUTION proposing an amendment to Article 1 of the Indiana Constitution concerning the bill of rights.

*Be it resolved by the General Assembly
of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana, which was agreed to by the One Hundred Fourteenth General Assembly and referred to this General Assembly for reconsideration and agreement, is agreed to by this the One Hundred Fifteenth General Assembly of the State of Indiana.

SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: **Section 38. The people have a right to hunt, fish, and harvest game, which are a valued part of our heritage and shall be forever preserved for the public good, subject to laws prescribed by the General Assembly and rules prescribed by virtue of the authority of the General Assembly.**

RESOLUTIONS ON FIRST READING

House Resolution 4

Representative Stevenson introduced House Resolution 4:

A HOUSE RESOLUTION recognizing the Highland Chamber of Commerce on the occasion of the 50th anniversary of its

incorporation.

Whereas, The Highland Chamber of Commerce was incorporated on March 10, 1958, with 76 charter members;

Whereas, The Highland Chamber of Commerce evolved from the Highland Businessmen's Association with the idea of establishing an organization with a broader scope of purpose and activity;

Whereas, The Highland Chamber of Commerce believes that success will be achieved through "Manpower, an Awareness of Community Needs, Willingness to Serve, and Adequate Finances";

Whereas, Today the 220 members of the Highland Chamber of Commerce volunteer their time and energy to support and advance the economic well-being of its business and professional members, to strengthen the business environment, and to serve the Highland community; and

Whereas, The Highland Chamber of Commerce is working hard to build a strong local economy and maintain its strong belief in "promoting good business": Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives commends the Highland Chamber of Commerce on its hard work and dedication on behalf of the citizens and businesses of Highland, Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Jim Dal Santo, President of the Highland Chamber of Commerce.

The resolution was read a first time and adopted by voice vote.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Tyler be added as coauthor of House Bill 1018.

FRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hoy be added as coauthor of House Bill 1052.

NEESE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1096.

HOY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1099.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Welch be added as coauthor of House Bill 1112.

MICON

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Steuerwald, the House adjourned at 3:55 p.m., this eighth day of January, 2008, until Thursday, January 10, 2008, at 10:00 a.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives

[Journal Clerk's Note: Because of the numerous changes in committee appointments and the announcement of changes both in November and January, the complete list of standing and statutory committee for 2008 is shown below.]

2008 STANDING COMMITTEES

Agriculture and Rural Development

Democrats: Pflum, Chair; Stemler, Vice Chair; Battles, Bischoff, Dembowski, Goodin, Grubb.

Republicans: Gutwein, Ranking Minority Member; Friend, Knollman, Lehe, Stutzman.

Commerce, Energy and Utilities

Democrats: Crooks, Chair; Battles, Vice Chair; Blanton, Dobis, Dvorak, Robertson, Stevenson.

Republicans: Lutz, Ranking Minority Member; Behning, Frizzell, Neese, Soliday.

Courts and Criminal Code

Democrats: Hoy, Chair; Dembowski, Vice Chair; Dvorak, L. Lawson, Porter, Tincher, VanHaaften.

Republicans: Koch, Ranking Minority Member; Elrod, Steuerwald, Thomas, Ulmer.

Education

Democrats: Porter, Chair; Micon, Vice Chair; Cheatham, Kersey, Robertson, V. Smith, VanDenburgh.

Republicans: Behning, Ranking Minority Member; Dermody, T. Harris, Noe, Thompson.

Elections and Apportionment

Democrats: Pierce, Chair; Oxley, Vice Chair; Bartlett, GiaQuinta, Niezgodski, Pelath, VanDenburgh.

Republicans: Lehe, Ranking Minority Member; Buell, Burton, Richardson, M. Smith.

Environmental Affairs

Democrats: Dvorak, Chair; Candelaria Reardon, Vice Chair; Hoy, L. Lawson, Micon, Pierce, Robertson.

Republicans: Wolkins, Ranking Minority Member; Eberhart, Lutz, Neese, Ruppel.

Family, Children and Human Affairs

Democrats: Summers, Chair; Day, Vice Chair; Bardon, Bartlett, Simms, V. Smith, Welch.

Republicans: Noe, Ranking Minority Member; Bell, T. Harris, Stutzman, Walorski.

Financial Institutions

Democrats: Bardon, Chair; Summers, Vice Chair; Dobis, Fry, Micon, Moses, Oxley.

Republicans: Burton, Ranking Minority Member; Crouch, Duncan, Ripley, Ruppel.

Government and Regulatory Reform

Democrats: Stevenson, Chair; GiaQuinta, Vice Chair; Battles, Candelaria Reardon, Cheatham, Tincher, Tyler.

Republicans: Neese, Ranking Minority Member; Buck, M. Smith, Steuerwald, Wolkins.

Insurance

Democrats: Fry, Chair; Cheatham, Vice Chair; C. Brown, GiaQuinta, Herrell, Orentlicher, Porter.

Republicans: Ripley, Ranking Minority Member; Borders, Burton, Murphy, Torr.

Judiciary

Democrats: L. Lawson, Chair; Pierce, Vice Chair; Avery, Bardon, Cochran, Dvorak, Klinker.

Republicans: Foley, Ranking Minority Member; Koch, Pond, Thomas, Ulmer.

Labor and Employment

Democrats: Niezgodski, Chair; Tyler, Vice Chair; Bartlett, Herrell, Kersey, Simms, Stilwell.

Republicans: Leonard, Ranking Minority Member; Bell, Gutwein, Ripley, Torr.

Local Government

Democrats: V. Smith, Chair; Klinker, Vice Chair; Blanton, Dembowski, Moses, Stevenson, VanDenburgh.

Republicans: Hinkle, Ranking Minority Member; Borders, Eberhart, Elrod, Saunders.

Natural Resources

Democrats: Bischoff, Chair; Robertson, Vice Chair; Cheatham, Grubb, L. Lawson, Pflum, Stemler.

Republicans: Ulmer, Ranking Minority Member; T. Brown, Cherry, Eberhart, Gutwein.

Public Health

Democrats: C. Brown, Chair; Welch, Vice Chair; Day, Fry, Hoy, Mays, Reske.

Republicans: T. Brown, Ranking Minority Member; Crouch, Dodge, Frizzell, Lehe.

Public Policy

Democrats: VanHaaften, Chair; Summers, Vice Chair; Austin, Cochran, GiaQuinta, E. Harris, Pelath.

Republicans: Bell, Ranking Minority Member; Lutz, Stutzman, Turner, Walorski.

Roads and Transportation

Democrats: Austin, Chair; Niezgodski, Vice Chair; Bischoff, Blanton, Dembowski, Pflum, Tincher.

Republicans: Duncan, Ranking Minority Member; Buck, Davis, Saunders, Soliday.

Rules and Legislative Procedures

Democrats: Pelath, Chair; Stilwell, Vice Chair; Austin, E. Harris, Oxley, VanHaaften.

Republicans: Foley, Ranking Minority Member; Borrer, Torr, Turner.

Small Business and Economic Development

Democrats: Orentlicher, Chair; Mays, Vice Chair; Candelaria Reardon, Crooks, Niezgodski, Reske, Stemler.

Republicans: T. Harris, Ranking Minority Member; Borrer, Buck, Dermody, Hinkle.

Technology, Research and Development

Democrats: Reske, Chair; Crooks, Vice Chair; Austin, Hoy, Micon, Orentlicher, Pierce.

Republicans: Murphy, Ranking Minority Member; Behning, Knollman, Koch, Soliday.

Veterans Affairs and Public Safety

Democrats: Tincher, Chair; Herrell, Vice Chair; Avery, Bischoff, Goodin, Reske, Summers.

Republicans: Ruppel, Ranking Minority Member; Crouch, Dodge, Murphy, Wolkins.

Ways and Means

Democrats: Crawford, Chair; Goodin, Vice Chair; Cochran, Chair of Budget Subcommittee; Avery, Vice Chair of Budget Subcommittee; Klinker, Chair of K-12 Subcommittee; Welch, Chair of Medicaid and Health Subcommittee; Stemler, Chair of Higher Education Subcommittee; Battles, Candelaria Reardon, Day, Herrell, Kersey, Mays, Moses, Tyler.

Republicans: Espich, Ranking Minority Member; Borrer, Buell, Cherry, Davis, Leonard, McClain, Pond, Thompson, Turner.

STATUTORY COMMITTEE ON ETHICS

Democrats: Kersey, Chair; E. Harris, Vice Chair; Stilwell.
Republicans: T. Brown, Ranking Minority Member; Frizzell, Koch.

**STATUTORY COMMITTEE ON INTERSTATE
AND INTERNATIONAL COOPERATION**

Democrats: E. Harris, Chair; Dobis, Vice Chair; Avery, C. Brown, Grubb, Simms, Stevenson.

Republicans: Dodge, Ranking Minority Member; Borders, Dermody, Duncan, McClain.

COMMITTEE ON JOINT RULES

Democrats: Speaker Bauer (ex officio), Pelath, Stilwell.

Republicans: Bosma, Foley.